

The push for the broadcast flag is just another attack to whittle away "Fair Use" of content developed for the public good. The airwaves are owned by the public and the FCC is challenged with being the steward to protect their interests.

Time shifting was determined to be "Fair Use" by the U.S. Supreme Court in SONY CORPORATION OF AMERICA ET AL. v. UNIVERSAL CITY STUDIOS, INC., ET AL. In this decision the sale of "the VTR's to the general public does not constitute contributory infringement of respondents' copyrights." It goes on to say: "Any individual may reproduce a copyrighted work for a "fair use"; the copyright owner does not possess the exclusive right to such a use."

If the FCC decides to mandate this technology the agency is not acting in the best interests of the public. Do not act on the behalf of broadcasters who want to control the method of the very content they have so impressed me to watch in the first place.

Regards,

Ken Purcell